

Cuno-333.1
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PATENT

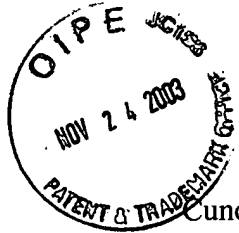
In the outstanding Office Action, the Examiner explained that the inventions are distinct from each other because of the following reasons. The Examiner found that Invention I is directed to a process for preparing a charge-modified polyester substrate, while Invention II is directed to a process for removing anionic materials from a liquid. As a result, the Examiner concluded that Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case, the Examiner found that Inventions I and II have different modes of operation and different functions. Thus, because these inventions were found to be distinct for the reasons given above and having acquired a separate status in the art, as shown by their different classification (e.g., search required for Group II is not required for Group I), restriction for examination purposes was determined to be proper by the Examiner.

In the outstanding Office Action, the Examiner also indicated that the present application contains claims directed to the following patentably distinct species of the claimed invention and has indicated that applicants must select one subspecies from each of the following three species:

- Species 1: 1) treating with an alkaline agent, 2) an amine agent, or 3) both an alkaline agent and amine agent;
- Species 2: 1) epoxy groups associated with a fixed negative charge or 2) fixed positive charge; and
- Species 3: 1) exposing to an agent prior to exposing to charge modifier, or 2) exposing to an agent concurrently with exposing to charge modifier.

The Examiner has indicated that claims 11, 16-18, 21 and 23-28 are generic and has required an election of a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In response to the pending Restriction Requirement, Applicants hereby elect the invention of Group I defined by claims 1-9 and 11-28. Applicants reserve the right to elect and prosecute the non-elected claim in a co-pending application to be filed at a later date.



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The Examiner further has required that Applicants elect a single species among each sub species of Species 1-3, as defined above. Applicants hereby provisionally elect the claims directed to:

- Species 1: 1) treating with an alkaline agent;
Species 2: 2) epoxy groups associated with fixed positive charge; and
Species 3: 2) exposing to an agent concurrently with exposing to charge modifier.

Applicants respectfully submit that claims 1-2, 7-8, 10-16, 18-19, 21, and 24-28 are believed to be readable on the elected species. Claims 16 and 19-28 are considered by the Applicants to be generic to the elected and non-elected species. In the event that no generic claim is finally held to be allowable and the present provisional election of species takes effect, the applicants hereby reserve the right to elect and prosecute the claims directed to non-elected species in one or more co-pending applications to be filed at a later date.

Based upon the foregoing, early and favorable consideration of claims 1-2, 7-8, 10-16, 18-19, 21, and 24-28 is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Christine O'Connor
Type or Print Name

Christine O'Connor
Signature

11/20/03
Date